

2d Ser. 12th Parliament, 1837-8.

ADDRESS TO HER MAJESTY,
ON THE STATE OF THE PROVINCE.

de la Roche
1837

Printed by order of the Honorable the Legislative Council.

In Station, Printer to the Queen's Most Excellent Majesty.

1925

ADDRESS,

TO HER MAJESTY, ON THE STATE OF THE PROVINCE.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN:

We Your Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, humbly beg leave to address ourselves to Your Majesty, upon the difficulties which have lately surrounded this Colony.

In the adjoining Province of Lower Canada a long course of yielding policy has ended, as the loyal inhabitants of that Colony were persuaded it must end, in open rebellion. For many years past the Representatives of our Sovereign in that Province have hesitated to give effect to the Constitution, and to enforce the principles of Justice; one indignity after another has been borne by them, with a forbearance which has had no other effect than to diminish respect for their authority; concession has followed concession involving, in some instances, the violation of important principles, until at last the friends of the Crown knew not what Institution of the Government they could venture to sustain with confidence; and the avowed enemies of British rule saw no object which they might not hope to gain by insolence and clamor.

The yielding to unjust demands intemperately urged does not beget friendship; and it was natural that the deluded inhabitants of Lower Canada should transfer their attachment, as they have done, from the Government which surrendered its prerogatives to the pretended patriots, who in their name boldly and successfully assailed them.

Reasoning from the experience of the past, their turbulent leaders were encouraged to hope that there was no change, however destructive it might be of British supremacy, which they might not accomplish by assuming the language and demeanor of defiance. They have accordingly so inflamed the minds of an ignorant peasantry by violent harangues, and publications, that they have driven them at last to actual rebellion, when it is probable that they intended and hoped to effect their purpose by merely holding out a threatening appearance.— Happily this rebellion has been promptly suppressed by the vigorous measures of Lieutenant General Sir John Colborne, the Commander of Your Majesty's Forces, but not without a loss of life, especially on the part of the insurgents, which we fully believe would have been avoided, by a firm and just exercise of the powers of Government in former years. In order to have discountenanced effectually the efforts of the factious nothing more, we are persuaded, was necessary than the holding out to them a timely and unequivocal warning, that the principles of the British Constitution would assuredly be supported, if necessary, by the power of the British Empire.

The anxiety with which the inhabitants of Upper Canada have regarded the events to which we refer, is sufficiently accounted for by the relative position of the two Provinces.— Lower Canada interposes between us and the ocean, and it is only by passing through it that we can have access to any other portion of Your Majesty's dominions, without depending on a right of egress through a foreign State. But we assure Your Majesty that other feelings besides the sense of danger to ourselves, have prompted us to look with extreme concern upon the late conflict in that Colony. We deeply sympathised with one hundred and fifty thousand of our fellow Subjects, whose lives and properties it is now become manifest were in imminent danger of total destruction, from the inveterate hatred of British rule which has sprung up in proportion as the confidence which they were accustomed to repose in the protection of their Government has been suffered to be shaken. It must have been most gratifying to Your Majesty to learn, that in the absence of direct reinforcements from England, it was found not imprudent to with-

draw from the other British Colonies on this Continent whatever regular forces had been stationed in them; and it cannot but tend to raise the character of this Province, that its Government could with safety be left thus destitute of military aid, at a time when rebellion was raging in the adjoining Colony, and after the people of Canada had been traitorously incited by certain Members of the Imperial Parliament to throw off their allegiance to their Sovereign, and to resort to violence, if it should be necessary, for overturning the Constitution which we had received by the solemn act of the British Parliament.

Except, indeed, for the encouragement which our apparently defenceless state has given to some lawless people on our frontier, it is perhaps not to be regretted that at so critical a period the inhabitants of Upper Canada should have been left to defend their Country and Institutions, without the assistance of a military force. Your Majesty's Governor of this Province had ventured to give a manly and open support to British interests and principles; he had not distrusted the inclination of a loyal people to support the Throne, nor hesitated to refuse co-operating with those who were labouring to subvert our Government. By this natural and honorable course he had deprived agitation of its hope, and had given assurance and animation to the loyal. It was fortunate that an impressive example should be given of the soundness of a policy, which had for its basis a firm reliance upon the wisdom and justice of British Institutions, and a generous confidence that the people whom he governed had the sense to appreciate and the virtue to uphold them. No system of policy ever had a fairer trial; encouraged by the existence of rebellion in the adjoining Province, and hoping for aid from the people of a foreign State, the enemies of British rule ventured to throw off all disguise, and to raise their traitorous arms against a Government to which they had sworn allegiance. But the effort was no sooner made than it was signally defeated: thousands of Your Majesty's Subjects rushed instantly to the support of your Royal authority, and of the laws; and in many of the most populous Districts of this Province, not a single individual was found to countenance the wicked and ungrateful attempt to separate this Colony from the British Empire.

In the progress of these disturbances however, an unlooked for danger suddenly discovered itself, of a much more formidable character than those which had been surmounted, and one that opens new and startling considerations to the inhabitants of this Colony, and of the British Empire.

While Your Majesty's Forces and Your loyal Subjects in Lower Canada were engaged in suppressing as causeless a rebellion as ever was fomented among a deluded people, we observed with astonishment, that in the adjacent parts of the United States of America, undisguised efforts were made to create among the people a strong feeling in favor of the insurgents. Public meetings were held, in which it was declared, that nothing more was intended than an expression of "sympathy"; but the results of such meetings went very far beyond this avowed intention. Arms were collected, and contributions of various kinds made for the benefit of those who were in actual rebellion against their Sovereign, and under the palpably disingenuous pretext of defending themselves against a people who never meditated an infringement of their rights, American citizens were seen rising in large bodies and threatening the peace and security of a British Colony, regardless alike of the injunctions of their own Government, and of the express provisions of their laws.

Upon the frontiers of this Province, the inhabitants of several of the United States of America have carried their hostilities to a much greater length; and while the relations of peace subsisted between the Republic and Great Britain, and when there remained not the slightest commotion among our people, they have not scrupled to arm themselves with artillery and weapons plundered from the public arsenals of their own country, and remaining embodied for many weeks, have carried on a piratical warfare against this Province.

Independently of those considerations of national honor and duty, which ought not to be without their weight in the United States of America, we cannot believe it possible that the

Government or People of that country can desire to involve themselves in a war with Great Britain, and we will not therefore incur the hazard of doing injustice, by charging them with insincerity, because this extraordinary and sudden outbreak was not more promptly curbed. It has indeed appeared to us, that a desire to vindicate their national character, to prevent their citizens from inflicting undeserved injury upon a friendly people, and to avert a war with an Empire certainly too just and too powerful to be either hated or despised, might have furnished sufficient motives, both of morality and policy, for greater and more immediate exertion than appeared to be made; but we know too little of the difficulties which may have impeded the prompt interference of the Federal Government, to entitle us to conclude that nothing effectual was for a long time intended, because nothing effectual was done.

It cannot however, we are persuaded, be said with sincerity by any of the inhabitants of this Province, that the Government of the State of New-York has seemed to them to act in the moment of anxiety and danger, with the firmness and good faith that befitted the occasion.

It is true that they condemned the outrages of which we complained; but although these were of the most flagrant kind, they were nevertheless committed by their citizens in open day, in the presence of their public authorities; and though in order to procure the means of accomplishing them, the arsenals of the State were plundered of artillery and arms, no attempt at energetic interference seemed to be made. The insult offered by their citizens to their own laws, appeared to be patiently submitted to, while the injuries inflicted upon their neighbours were expected to be as patiently borne; and the vigilance that slumbered during repeated acts of aggression by their people, first shewed itself in an exciting appeal against an act of self-defence on the part of this Province, which, when truly described, cannot be denied to be reasonable and just.

With respect to that portion of the American people who have taken a direct part in these hostile proceedings, nothing can be said that will in any degree palliate their conduct; nor will it be easy to wipe off the reproach which it brings upon their nation. Avowing as they have done, their intention to divide among themselves the lands of this Province, they have confessed the principal object of their warfare to be plunder; but the more general impulse which has enlisted the aid of multitudes in their cause, is the declared desire to free the people of this Colony from subjection to Your Majesty, and to drive what they call the last relic of Monarchical Government from this Continent.

It has astonished us to observe with how little scruple these lawless citizens of the United States appear to proclaim and act upon the principle, that any rebellion of the Subjects of a Monarchy is proper to be encouraged, as a struggle for freedom—as if it were an undeniable truth that even a limited monarchy, however carefully balanced, is incompatible with liberty, and can only be submitted to by people under restraint. They should shew at least so much deference for the rights of their neighbours, as to allow them to judge of matters which concern their own happiness and welfare. But while they profess to value themselves chiefly upon having what they call a Government of their own choice, they embark without hesitation in the intolerant attempt to impose, by force of arms, upon the people of Upper Canada, a form of Government which it is perfectly evident they do not choose. Living upon the very frontiers of this Province, these people cannot be ignorant that the maintenance of our connection with Great Britain, and an avowed preference for her laws and institutions, are the very points upon which our population have lately more than once rallied, and by an almost universal suffrage.

With the spectacle before them of the whole male adult population of this country, rising almost without exception, and arming themselves with eager resolution to support the authority of their Sovereign, they insist upon it, that the wishes of a few fugitive traitors, whom they, and some recreant British Subjects in England, have taken under their especial patronage, shall prevail over the almost universal desire of the people of Upper Canada.

When these citizens of the United States speak of bringing to us the boon of Republican Institutions, they seem to imagine, that they will be regarded as offering to extend to the people of Upper Canada some newly-discovered blessing: not considering that Republics of the purest cast have been seen to run through the several stages of Democracy, Anarchy and Despotism—even before the commencement of the Christian era—and that, too, in ages and countries renowned for philosophers and statesmen. They forget also, that in our own generation we have had an opportunity of observing in the fairest portion of the Continent of Europe the same process—though not exactly in the same order—until at last, under the Government of a limited Monarch, comparative peace, justice, stability and repose, have returned to a land which had been long desolated by the worst miseries of domestic and foreign war.

When the people of a country profess it to be the fundamental principle of their own institutions, that the will of the majority shall govern, and at the same time are seen rushing to arms for the purpose of enabling a feeble minority in a neighbouring Province, with whose concerns they have nothing to do, to prevail against the will of the majority, we cannot fail to observe how nearly Democracy is allied to tyranny, and how little it has changed its nature in modern times.

Nevertheless, it is with regret we declare to Your Majesty, that powerful as may be the means which the United States possess, from their great population and wealth, of forcing upon Your Majesty's Subjects in these Colonies a form of Government which their inclination, no less than their duty, leads them to reject, their ability successfully to resist it is in greater danger from another cause. We have observed with concern, that among our fellow Subjects in the United Kingdom, there are many who have too readily taken up the opinion, that in this New World the forms and restraints of Monarchical Government must be distasteful to the people; that nothing but Republican doctrines and practices can be congenial to the inhabitants of this Continent; that all attempts to repress the supposed inclination in their favour are so many struggles against nature; and that in process of time, as our people become numerous, and can claim the privilege of being governed as they please, they will certainly insist upon becoming Republicans.

There is nothing more evident than that these impressions, which we believe to prevail with many of our fellow Subjects in England, are erroneous—and the error is one which we fear may prove most injurious to our future happiness and security. It has seemed to us on some occasions to paralyze the efforts of the undoubted friends of Monarchy in the Great Council of the Nation, and to cause the vindication of the principles of our Constitution, when they are assailed in the Imperial Parliament, to be usually undertaken in a tone of despair, with so many concessions and qualifications as to what it may be necessary to surrender in future, and with so apparent a readiness to admit that other principles must be expected to prevail in time, that British Subjects really attached to their Government seem to be enjoying their Constitution only until the period shall come when those in England, who seem habitually to distrust the wisdom and propriety of maintaining a Monarchical Government in these Colonies, shall have raised by their encouragement a sufficient number of advocates of other principles, to warrant their giving to them their open and active support. It is with pain we state to Your Majesty, that not a few of the acts of the Colonial Department have seemed to us to be evidently influenced by this error, which we deplore; and it is an error which we seriously fear may prove fatal to the connection of these Provinces with Great Britain, and no less fatal to their own peace and welfare.

We have some hope, however, that what is now taking place in these Colonies may lead to sounder views—for a more striking and convincing testimony to the advantages of Monarchical Government was perhaps never afforded than may be gathered at this moment, by observing the conduct pursued, and the sentiments expressed throughout the British North American

Provinces. In the midst of a struggle which still threatens to bring upon them the unequal force of the American Republic, the people of these Colonies are not merely faithful to their Government, but they are animated by a zealous feeling of loyalty, which prompts them to undergo every privation and danger necessary to be encountered for supporting their Constitution and Laws. Living on the borders of a country where the great experiment of governing by the will of the people, or rather of forbearing to govern in deference to their will, has been long tried on the largest scale, they have seen nothing to make them discontented with their own political condition: they feel themselves to be quite as free as the citizens of the neighbouring Republic, and in many cases more so; and they believe that their form of Government confers greater stability on their civil institutions; guards better their religious liberty; assures more power to the laws; protects life, reputation, liberty and property, with greater steadiness and certainty; and insures the observance of a just respect for the rights of their neighbours more effectually than can be done in any country where the popular will must govern, however irregularly exerted. They do accordingly prefer their own Constitution—not coldly, in the mere exercise of their judgment—but they defend it with an affectionate attachment, which deserves the warmest encouragement and support of Your Majesty, and of the British Empire.

To say nothing of the Colony which we ourselves inhabit, we ask those who are either themselves insensible to these feelings, or who have falsely imagined that they could find no home on the North American Continent, to look at this moment upon the noble Provinces of Nova Scotia and New Brunswick, and to point out any portion of Your Majesty's United Kingdoms where veneration for the Throne, and attachment to the principles which can alone support it, are avowed with greater earnestness and pride.

Your Majesty's loyal Subjects in America see in the protection which a limited Monarchy affords to rational liberty, such inestimable advantages as secure their most faithful devotion, although they are far removed from the immediate influence of an enlightened and benevolent Aristocracy, and from the splendour which surrounds the presence of Royalty. Their most anxious desire is, that they may be allowed to preserve this Constitution unimpaired.—They find it exposed to danger from two sources; first—to the danger of being gradually undermined by changes assented to by the Colonial Department, in a mistaken spirit of concession; and in the next place, to the danger which threatens at the same time our connection with the British Crown, namely, the violent interference of the people of the United States in our concerns.

With regard to the first danger, we respectfully entreat Your Majesty to consider, that the remedy lies entirely within Your Majesty's power; and we think we urge no unreasonable desire, when we earnestly implore Your Majesty, that we may be secured against the risque of those principles, in which the strength and excellence of the British Constitution consists, being surrendered, from an unmanly fear, or from the rash attempt to create a new and better system of Government than has been hitherto known to the Subjects of Great Britain.

With respect to the second danger, Your Majesty will learn with astonishment, that it becomes daily more alarming. Whatever may be the cause, the violation by the American people, of their friendly relations with Your Majesty, is so far from being effectually put down by the interference of their Government, that their preparations to invade and plunder the Provinces of Canada, are reported at this moment to be carried on more extensively and openly than ever. But in the midst of the excitement which their preparations have occasioned, we have received the cheering intelligence of the prompt and decisive exertions made by Your Majesty for our protection, for which we tender to Your Majesty our most grateful thanks.

We have never allowed ourselves to doubt, that if ever the period arrived when it should become a question, whether these valuable Colonies should be tamely suffered to be wrested from the British Crown, or whether Your Majesty's loyal Subjects who inhabit them, should be aided in their struggle to avert that calamity, the question would not be determined upon cold calculations of interest alone, but that other and nobler sentiments would govern the decision.

We rejoice to learn, that Your Majesty's Government and the people of the United Kingdom, have no hesitation as to the path to be pursued; and in the generous exertion now made for maintaining the integrity of the Empire, we behold the assurance of our future safety and peace.

The proof which is thus unequivocally given, of the determination of Your Majesty to defend these Provinces effectually from injury and insult, will for the present, we trust, avert the calamities of war; but we earnestly entreat Your Majesty, that the season of peace may be used for providing a more adequate security against a recurrence of such danger as we have been lately exposed to.

The anxieties to which the events of the last three months have given rise, have made us feel more sensibly than ever, the great debt of gratitude which this Country owes to the illustrious Duke of Wellington, whose patriotism prompted him to add to the defences of Canada by the construction of that noble work, the Rideau Canal, which has secured the interior of this Country to the extent of two hundred miles, by providing a navigable channel removed from the frontier, and connecting us directly with whatever resources the fleets of Great Britain can supply. We earnestly hope that the other defences, which it was at one time intended to construct for the protection of our frontier, may be now proceeded in, under the conviction that the want of such defences is almost certain to invite hostilities which must lead to a national war.

In the present remarkable crisis of the affairs of this Province, we have united in a Report, which accompanies this Address, stating the views entertained by the Legislative Council in regard to the general interests of the Colony. If in some points of great moment, we have felt that our duty to Your Majesty, and to our fellow Subjects, has required us to express opinions at variance with the policy which has been pursued by the Colonial Department, we have done so without regard to considerations of party; and in the confidence that we shall not offend by avowing the anxiety we feel to protect our Constitution from injurious changes.

It cannot be doubted that the circumstances in which Lower Canada is placed will lead to the adoption of some measures, which may very materially affect the future condition of this Colony. But though we cannot contemplate these probable changes without extreme anxiety, we feel, in common with our fellow Subjects in Upper Canada, the most unlimited confidence in Your Majesty's desire to consult our happiness and prosperity, and an entire reliance upon the wisdom of the Imperial Parliament for devising such measures as are best suited to remedy existing evils. No important change, we feel assured, will be suffered to be made without an opportunity being first afforded to the Inhabitants of this Province to make known their opinions and wishes; and when this has been done, we are persuaded that all classes of Your Majesty's Subjects will cheerfully abide by the decision.

We beg to express on this occasion our assurances of entire devotion to Your Majesty's Person and Government.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council,
28th February, 1838.

ould
sted
ould
upon
the

united
now
safety

ty to
avert
may
is we

made
o the
es of
d the
annel
ets of
t one
under
must

report,
cil in
ve felt
inions
done
offend

l lead
of this
xiety,
dence
upon
medy
out an
ir opi-
Your

esty's